

REMARKS

Applicant respectfully requests reconsideration of this application in view of the foregoing amendment and following remarks.

Status of the Claims

Claims 26-41 are pending in this application. All of the pending claims stand rejected. By this amendment, claims 27, 28, 31, 33 and 36-41 are cancelled without prejudice or disclaimer. Claims 26, 29, 30, 32, 34 and 35 are amended. No new matter has been added by this amendment.

Rejection under 35 U.S.C. §112

Claims 36-41 have been rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite.

In response, claims 36-41 have been cancelled rendering the rejections directed to these claims moot.

Rejections under 35 U.S.C. §103

Claims 26, 29, 30, 32, 34 and 35 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent Application Publication No. 2003/0085956 to Irizawa et al. (“Irizawa”) in view of U.S. Patent No. 6, 145,950 to Ohtsuka et al. (“Ohtsuka”) and JP 11001647A to Hayashi (“Hayashi”).

Claims 27, 31 and 33 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Irizawa in view of Ohtsuka and U.S. Patent No. 5,774,146 to Mizutani (“Mizutani”).

Claim 28 has been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Irizawa in view of Ohtsuka, Mizutani and Hayashi.

Claims 36-41 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Irizawa as modified by Ohtsuka, Hayashi, and further in view of U.S. Patent No. 6,375,314 to Reed (“Reed”), U.S. Patent No. 6,128,098 to Kamada et al. (“Kamada”) and U.S. Patent No. 5,803,958 to Katsen (“Katsen”).

As indicated above, claims 27, 28, 31, 33 and 36-41 have been cancelled rendering the rejections directed to these claims moot.

Claims 26, 29, 30, 32, 34 and 35 have been amended for further clarification. The present invention as featured in the amended claims is printing an image on a plurality of types of printing media by selectively using a pigment ink and a dye ink. The present invention uses information regarding “applicability relations” between the different types of the inks and the different types of printing media such as a first type, a second type and a third type printing media. In particular, each of amended claims 26, 29, 30, 32, 34 and 35 specifically recites, *inter alia*, that “wherein the first type of printing medium includes a photo glossy, the second type of printing medium includes a synthetic paper, and the third type of printing medium includes a back print film.” Support for the amendments may be found, for example, page 33, line 26 through page 36, line 18 along with Fig. 4 of the specification as originally filed.

As Applicant understand it, the cited references (i.e., Irizawa, Ohtsuka, Hayashi, Mizutani, Reed, Kamada and Kasten) fails to show or suggest these aspects of the invention as discussed above. For example, none of the cited references teaches, *inter alia*, that the second

type of printing medium includes a synthetic paper as specifically recited in claims 26, 29, 30, 32, 34 and 35 as amended.

Accordingly, each of claims 26, 29, 30, 32, 34 and 35 as amended is neither anticipated by nor rendered obvious in view of the cited references (i.e., Irizawa, Ohtsuka, Hayashi, Mizutani, Reed, Kamada and Kasten), either taken alone or in combination, for at least the reasons discussed above.

Reconsideration and withdrawal of the rejections of claims 26, 29, 30, 32, 34 and 35 under 35 U.S.C. §103(a) is respectfully requested.

Applicant has chosen in the interest of expediting prosecution of this patent application to distinguish the cited documents from the pending claims as set forth above. These statements should not be regarded in any way as admissions that the cited documents are, in fact, prior art. Likewise, Applicant has chosen not to swear behind the cited references or to otherwise submit evidence to traverse the rejection at this time. Applicant, however, reserves the right, as provided by 37 C.F.R. §§ 1.131 and 1.132, to do so in the future as appropriate.

Applicant believes that the application as amended is in condition for allowance and such action is respectfully requested.

AUTHORIZATION

No petitions or additional fees are believed due for this amendment and/or any accompanying submissions. However, to the extent that any additional fees and/or petition is required, including a petition for extension of time, Applicant hereby petitions the Commissioner to grant such petition, and hereby authorizes the Commissioner to charge any additional fees, including any fees which may be required for such petition, or credit any overpayment to Deposit Account No. 13-4500 (Order No. 1232-5255). A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,
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